

LETTER TO THE HONORABLE
NAOMI REICE BUCHWALD,
dated January 7, 2025

Exhibit E

Jerome Lhote - May 16, 2024

Page 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MATTHEW STEIN and JEROME LHOTE,)
Plaintiffs,)
-against-)
SKATTEFORVALTNINGEN,) Case No.
Defendant/Counterclaim-) 1:23-cv-02508-NRB
Plaintiff,)
-against-)
LUKE MCGEE,)
Counterclaim-Defendant.)

VIDEOTAPED DEPOSITION UNDER ORAL EXAMINATION OF
JEROME LHOTE
DATE: May 16, 2024

REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR

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| Page 2 | Page 4 |
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| 1 | I N D E X |
| 2 | WITNESS NAME |
| 3 | JEROME LHOTE |
| 4 | By Mr. Weinstein |
| 5 | By Mr. Levy |
| 6 | * * * * * |
| 7 | E X H I B I T S |
| 8 | EXHIBIT NO. DESCRIPTION |
| 9 | 19 Meeting minutes |
| 10 | 17 E-mail chain |
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| Page 3 | Page 5 |
| 1 APPARENCES: | |
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| 25 BY: DANIEL NEWMAN, ESQ. | |
| 26 EDGAR NEEDLY, ESQ. | |
| 27 Attorneys for Luke McGee | |
| 28 | |
| 29 ALSO PRESENT: DIMITRY ZVONKOV, Video Operator | |
| 30 BY ZOOM: DUSTIN P. SMITH | |
| 31 MIKKEL FAN | |
| 32 ANNE SOFIE BITSCH | |
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| <p>1 Merkensteijn. It's M-E-R-K-E-N-S-T-E-I-J-N, 2 the Third, actually, if you want the full. 3 Then Richard Markowitz, so that's 4 M-A-R-K-O-W-I-T-Z, I believe. Matthew Stein, 5 Stein, S-T-E-I-N, and myself, Jerome Lhote. 6 Q Who were the principals or partners 7 of Maple Point?</p> <p>8 A Matthew Stein, myself, Jerome 9 Lhote, and Luke McGee.</p> <p>10 Q Okay. We're going to hand you what 11 were marked at Mr. Stein's deposition as 12 Exhibits 10A and 10B.</p> <p>13 A Okay.</p> <p>14 Q So looking first at Exhibit 10A, is 15 that an Affidavit of Confession of Judgment 16 that you signed?</p> <p>17 (Witness reviewing.)</p> <p>18 A Yes.</p> <p>19 Q When did you sign it?</p> <p>20 A On May 28, 2019.</p> <p>21 Q Did you understand that you were 22 signing that affidavit pursuant to a 23 settlement agreement that you and others had 24 reached with Skat on May 28, 2019?</p> <p>25 A Yes.</p> | <p>1 Q At the time you signed this updated 2 Affidavit of Confession of Judgment, did you 3 believe it was enforceable?</p> <p>4 A I don't recall whether or not I 5 believed at the time, I mean, whether it was 6 enforceable. If I signed it, probably, yes.</p> <p>7 Q Okay. Do you recall having a 8 different view of this updated Affidavit of 9 Confession of Judgment when you signed it 10 than you had when you signed the original 11 one?</p> <p>12 A I remember that I had to modify the 13 document to mention I was a Florida resident.</p> <p>14 Q So at the time you signed this 15 updated affidavit, you were then living in 16 Florida?</p> <p>17 A Correct.</p> <p>18 Q All right. And at the time you 19 signed the updated affidavit, did the fact 20 that you were living in Florida, in your 21 view, impact the enforceability of the 22 document?</p> <p>23 A I don't recall that. I was just 24 made aware that I was informed that it might.</p> <p>25 Q So you were -- you were informed</p> |
| <p style="text-align: center;">Page 15</p> <p>1 Q At the time that you signed this 2 Affidavit of Confession of Judgment, did you 3 believe it was enforceable?</p> <p>4 A Yes.</p> <p>5 Q Did there come a time when you 6 believed that this particular Affidavit of 7 Confession of Judgment was no longer 8 enforceable?</p> <p>9 A I don't recall any -- I mean a 10 specific amount of time.</p> <p>11 Q As of the time that you signed this 12 Affidavit of Confession of Judgment, you were 13 living in New York City?</p> <p>14 A On the 28th of May 2019, yes.</p> <p>15 Q Okay. Now, if you turn to Exhibit 16 10B --</p> <p>17 A Okay.</p> <p>18 Q -- is that an updated Affidavit of 19 Confession of Judgment that you signed?</p> <p>20 A It says that, yes.</p> <p>21 Q Okay. That's -- on page 4, that's 22 your signature?</p> <p>23 A Yes.</p> <p>24 Q When did you sign it?</p> <p>25 A It says here June 9, 2021.</p> | <p>1 that it might impact whether it was an 2 enforceable document?</p> <p>3 A Correct.</p> <p>4 Q Do you recall personally informing 5 anyone at Skat or any representative of Skat 6 that the affidavit -- the updated affidavit 7 you signed might not be enforceable?</p> <p>8 A I don't recall having ever a 9 conversation with Skat directly. So if it 10 had been done, that would have been through 11 my lawyers, but I don't personally -- never 12 had any discussion with Skat.</p> <p>13 Q Do you know, one way or the other, 14 if you're lawyers --</p> <p>15 A No.</p> <p>16 Q -- had such a discussion?</p> <p>17 A No, I don't know, one way or the 18 other.</p> <p>19 Q Okay. Did you instruct your 20 lawyers to have such a conversation with 21 Skat?</p> <p>22 A No, I don't recall having -- 23 instructing them.</p> <p>24 Q What about this updated Affidavit 25 of Confession of Judgment, in your mind, made</p> |